

Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis

Infrastructure and Land Use Committee

Tuesday, June 14, 2005

9:30 AM

Commission Chamber

Charles Anderson, CPA
Commission Auditor

111 NW First Street, Suite 250
Miami, Florida 33128
305-375-4354

**Miami-Dade County Board of County Commissioners
Office of the Commission Auditor**

Legislative Analysis

**Infrastructure and Land Use Committee
Meeting Agenda
June 14, 2005**

Written analyses for the below listed items are attached for your consideration in this Legislative Analysis.

Item Number(s)

2R	3A
2T Sub., 2U Sub., & 2V Sub.	3B
2Q	3G

If you require further analysis of these or any other agenda items, please contact Gary Collins, Acting Chief Legislative Analyst, at (305) 375-1826.

Acknowledgements--Analyses prepared by:
Elizabeth Owens, Legislative Analyst
Troy D. Wallace, J.D., Legislative Analyst

LEGISLATIVE ANALYSIS

ORDINANCE RELATING TO ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; AMENDING SECTION 33-284.69(V), 33-284.70, 33-284.73, AND 33-284.76 OF THE CODE OF MIAMI-DADE COUNTY (NARANJA COMMUNITY URBAN CENTER DISTRICT)

Department of Planning and Zoning

I. SUMMARY

This Ordinance modifies Ordinance No. 04-217, Naranja Community Urban Center Zoning Districts, so that it is comparable to the current regulatory processes as implemented by the Department of Planning and Zoning.

II. PRESENT SITUATION

On December 2, 2004, the Board of County Commissioners approved Ordinance No. 04-217, creating the Naranja Community Urban Center Zoning District (NCUCD) regulations.

III. POLICY CHANGE AND IMPLICATION

The proposed Ordinance implements the following changes to Ordinance No. 04-217:

- Section 33-284.69(V)
 - Section 33-284.69(V) would be amended to reflect the location of a Natural Forest Community. The original ordinance did not display the Natural Forest Community (designated open space no. 9 on the map).
- Section 33-284.70
 - The setbacks for RU-1 zoning districts would be applied to single family homes in the Edge Sub-District. The original ordinance created the possibility for non-conforming single family homes.
- Section 33-284.73
 - Eliminates the pre-submittal conference and expands the Administrative Site Plan and Architectural Review process to include the Miami-Dade County School Board along with the Public Works Department, the Department of Environmental Resources Management and the Fire Rescue Department.
- Section 33-284.76
 - Allows for the grandfathering of additional non-conforming structures, uses and occupancies in the NCUCD area that was either existing at the time of the district boundary change to NCUCD or had a valid building permit.

INLUC ITEM 2(R)
June 14th, 2005

IV. ECONOMIC IMPACT

None.

V. COMMENTS AND QUESTIONS

In order to implement the changes approved in Ordinance No. 04-217, the Director of the Department of Planning and Zoning filed a district boundary change application to rezone all properties within the NCUCD. This item was approved by the Board of County Commissioners on May 19, 2005 under Resolution No. Z-13-05(see attachment).

A boundary map is also attached.

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-13-05

WHEREAS, THE DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING

applied for the following:

AU, BU-1, BU-1A, BU-2, BU-3, EU-M, GU, IU-1, IU-3, IU-C, RU-1, RU-2, RU-3, RU-3M, RU-4A, RU-4L, RU-5A & RU-TH TO NCUCD

SUBJECT PROPERTY: Begin at the Northeast corner of the SE ¼ of Section 27, Township 56 South, Range 39 East; thence west along the centerline of S.W. 256 Street for a distance of 1,877'± to the centerline of State Highway #5; thence SW/ly along the centerline of State Highway #5 for 285'± to a point; thence N47°04'12"W for 300'± to the centerline of S.W. 256 Street; thence west along S.W. 256 Street center for 1,600'±; thence S40°34'07"W for 2,380'± to theoretical W/ly right-of-way of S.W. 147 Avenue; thence south along the theoretical W/ly right-of-way of S.W. 147 Avenue for 850'± to the N/ly right-of-way of S.W. 246 Street; thence west along the N/ly line of S.W. 264 Street for 1,287'± to the theoretical centerline of S.W. 149 Avenue; thence south along S.W. 149 Avenue for 1,030'± to the N/ly right-of-way of Canal C-103 north; thence SE/ly along the north line of the canal for 2,450'± to the centerline of S.W. 272 Street; thence east along S.W. 272 Street centerline for 2,340'± to the centerline of S.W. 142 Avenue; thence north along S.W. 142 Avenue for 682'± to the centerline of S.W. 270 Street; thence east for 1,050'± to the W/ly line of the FEC easement; thence SE/ly along the west line of the FEC easement 895'± to the centerline of S.W. 272 Street; thence east 1,080'± to S.W. 137 Avenue; thence north along S.W. 137 Avenue for a distance of 5,280'± to the Point of beginning.

LOCATION: South of S.W. 256 Street, north of S.W. 272 Street, west of S.W. 137 Avenue & east of S.W. 149 Avenue; Southeast of the Urban Development Boundary Line & Northeast of Canal C103N, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requested district boundary change to NCUCD would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and

WHEREAS, a motion approve the application was offered by Commissioner Katy Sorenson, seconded by Commissioner Dorrin D. Rolle, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	aye	Dennis C. Moss	aye
Dr. Barbara M. Carey-Shuler	absent	Dorrin D. Rolle	aye
Jose "Pepe" Diaz	aye	Natacha Seijas	absent
Carlos A. Gimmenez	absent	Katy Sorenson	aye
Sally A. Heyman	aye	Rebecca Sosa	absent
Barbara J. Jordan	aye	Sen. Javier D. Souto	absent

Chairperson Joe A. Martinez absent

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the requested district boundary change to NCUCD be and the same is hereby approved.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning.

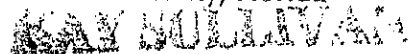
THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 19th day of May, 2005, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 05-5-CC-2

ej

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By



Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 2ND DAY OF JUNE, 2005.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Deputy Clerk's Name, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director, of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-13-05 adopted by said Board of County Commissioners at its meeting held on the 19th day of May, 2005.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 2nd day of June, 2005.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

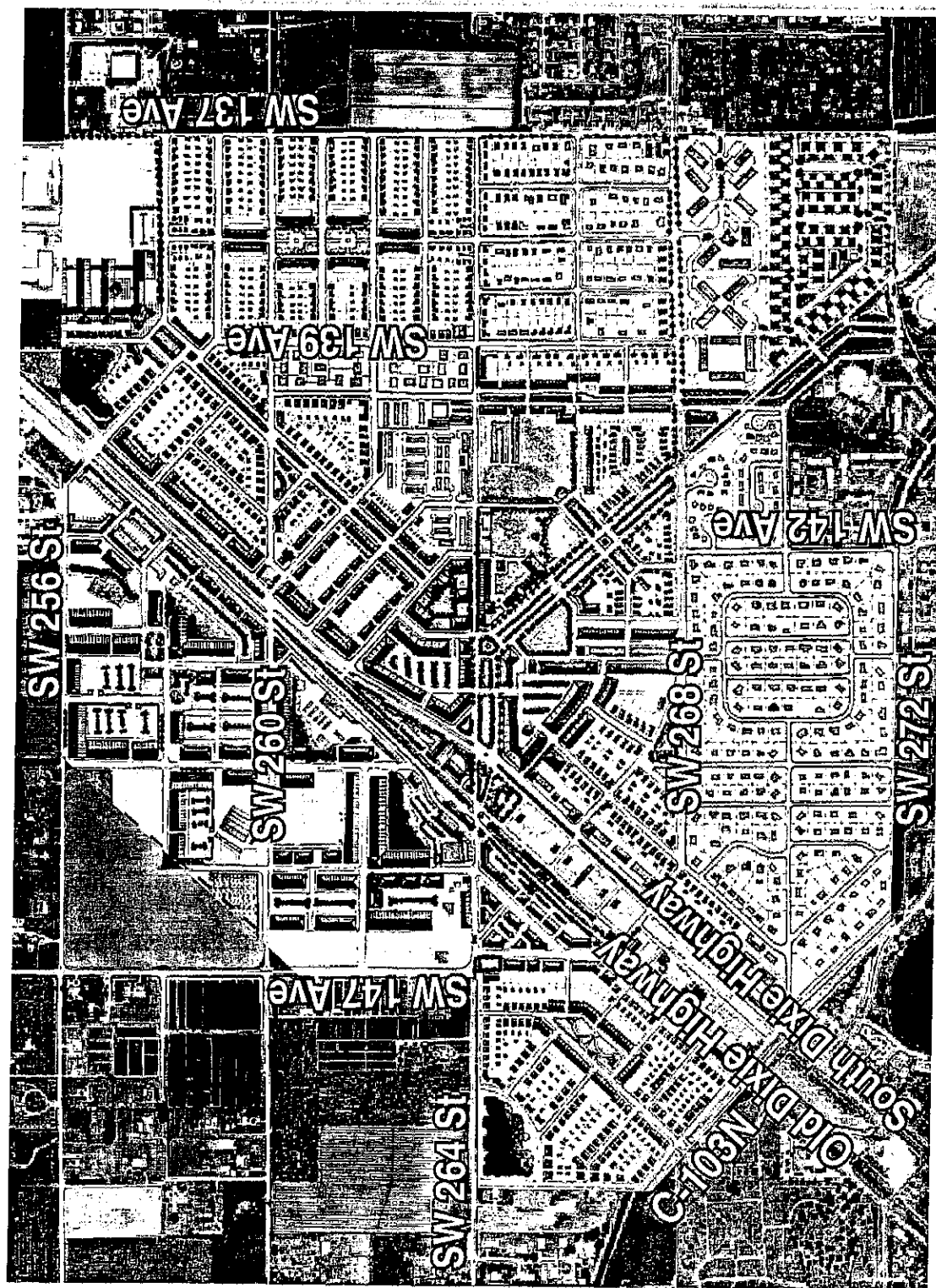
SEAL



NARANJA

CHARRETTE AREA PLAN, AUGUST 2001

MIAMI-DADE
COUNTY



INLUC ITEM 2(T) SUB, 2(U) SUB, & 2(V) SUB
June 14th, 2005

LEGISLATIVE ANALYSIS

ITEM 2T SUB ORDINANCE RELATING TO ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE STANDARD URBAN CENTER ZONING DISTRICT REGULATIONS; CREATING SECTIONS 33-284.81 THROUGH 33-284.90 OF THE CODE OF MIAMI-DADE COUNTY (CODE); AMENDING SECTIONS 33-311, 33-313, 33-314 AND 33B-45 OF THE CODE

ITEM 2U SUB ORDINANCE RELATING TO ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE GOULDS COMMUNITY URBAN CENTER ZONING DISTRICT; CREATING SECTIONS 33-284.91 THROUGH 33-284.97 OF THE CODE; AMENDING SECTION 33-133 OF THE CODE

ITEM 2V SUB ORDINANCE RELATING TO ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE PRINCETON COMMUNITY URBAN CENTER ZONING DISTRICT; CREATING SECTIONS 33-284.98 THROUGH 33-284.99.4 OF THE CODE

Department of Planning & Zoning

I. SUMMARY

Item 2(T) Substitute proposes an ordinance that would simplify ordinances establishing community urban center districts by codifying all the regulatory language and provisions utilized. As noted in the County Manager's memo, this substitute clarifies certain regulatory provisions and standards.

Item 2(U) Substitute proposes an ordinance that provides the regulation and development plans of the Goulds Community Urban Center District (GCUCD). As noted in the County Manager's memo, this substitute clarifies certain regulatory provisions and provides a more detailed legal description of the boundaries of the GCUCD.

Item 2(V) Substitute proposes an ordinance that provides the regulation and development plans for the Princeton Community Urban Center District (PCUCD). As noted in the County Manager's memo, this substitute clarifies certain regulatory provisions and provides a more detailed legal description of the boundaries of the PCUCD.

II. PRESENT SITUATION

The Board of County Commissioners has adopted community urban center districts for Downtown Kendall and Naranja.

INLUC ITEM 2(T) SUB, 2(U) SUB, & 2(V) SUB
June 14th, 2005

Each time an ordinance for adoption of an individual urban center zoning district is before the Board, the common regulatory language and provisions are repeated. The Department of Planning and Zoning intends to present future ordinances establishing community urban center districts.

III. POLICY CHANGE AND IMPLICATION

The adoption of Standard Urban Center District Regulations (Item 2T Substitute) would eliminate the repetition of common language, allowing instead for it to be referenced in the Code.

The creation of the GCUCD and the PCUCD are in keeping with the CDMP and incorporates the citizen's vision for the future growth and development of the unincorporated area.

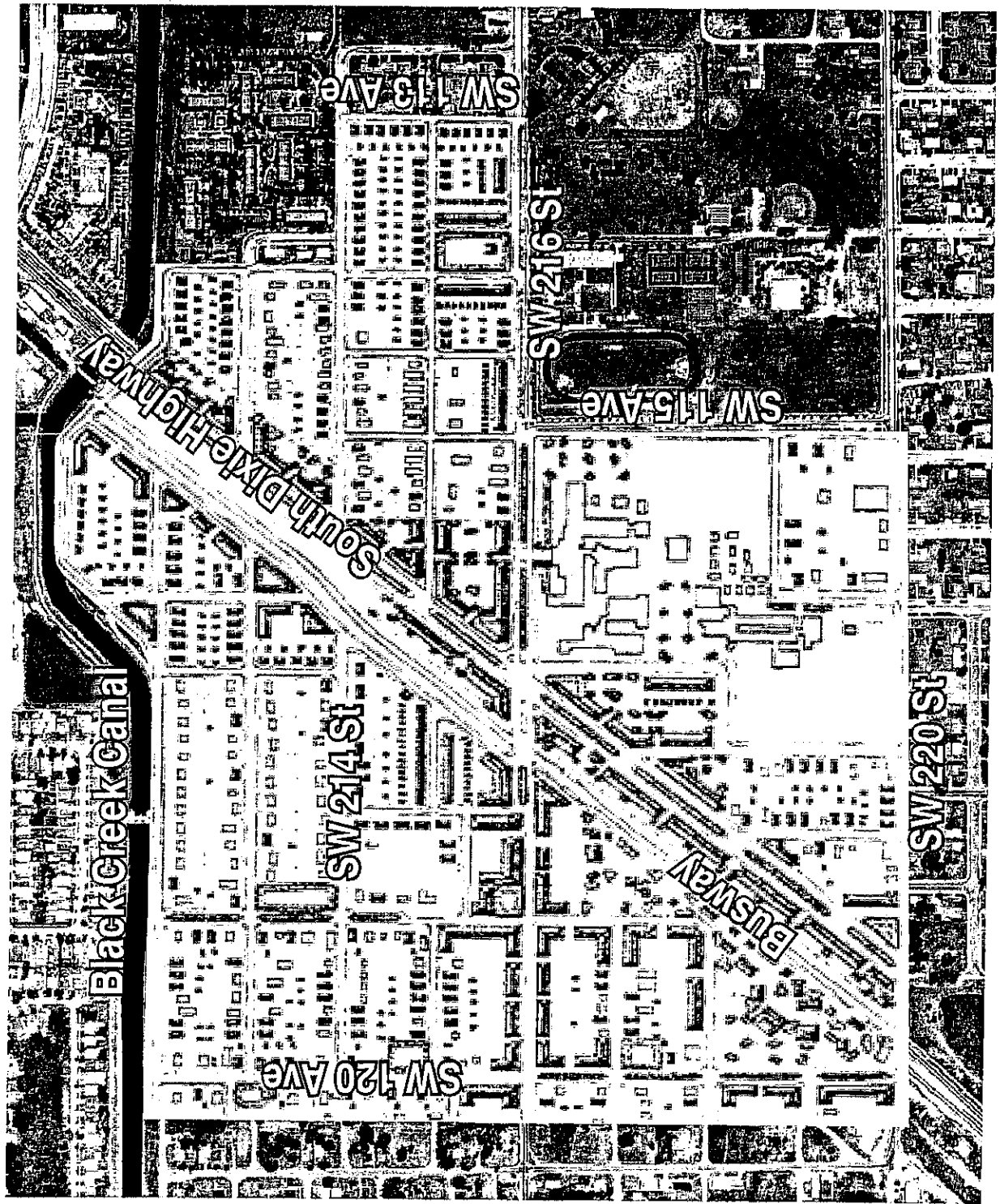
The GCUCD includes the permitted uses of the Store Porch Special District.

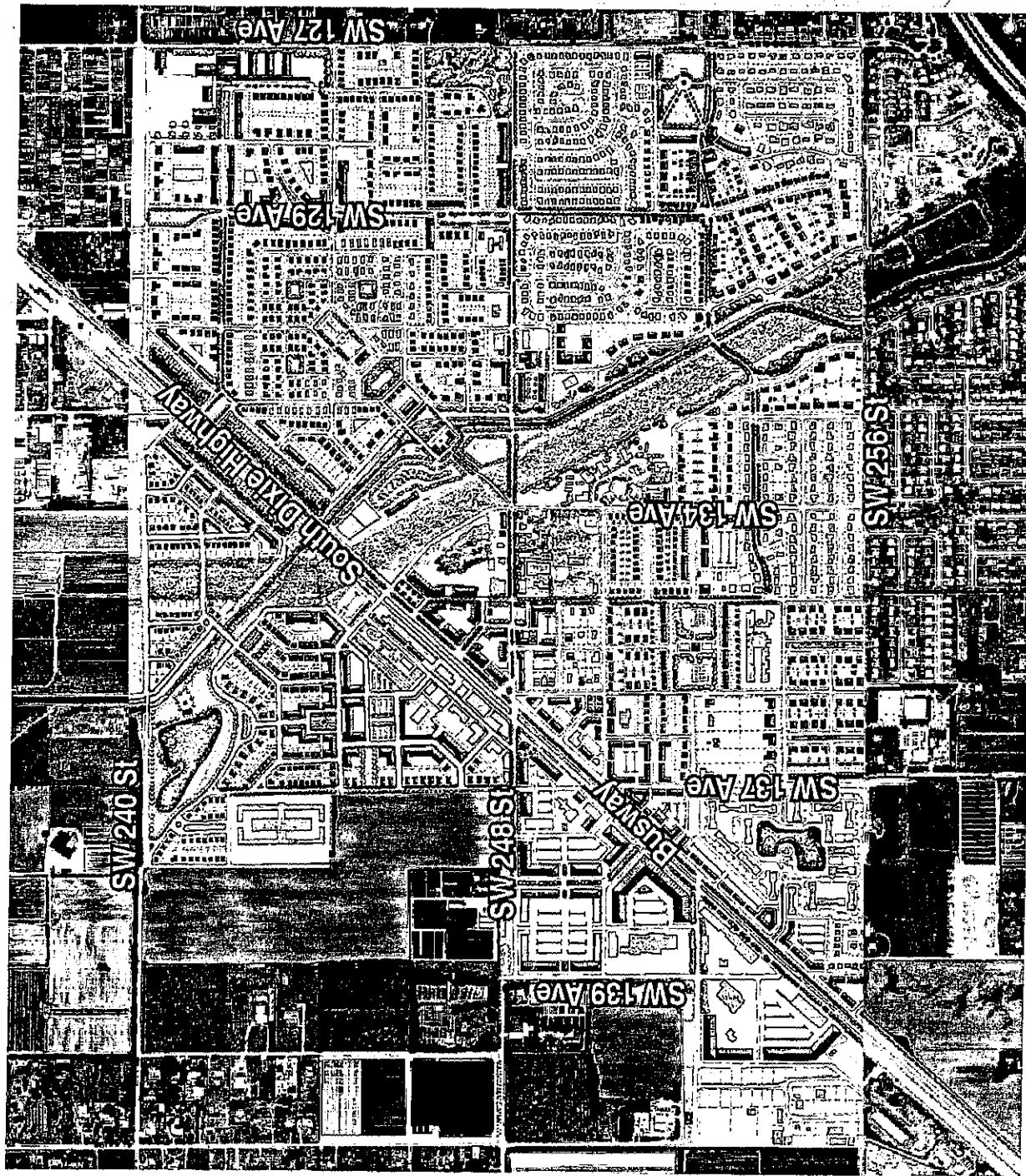
IV. ECONOMIC IMPACT

None.

V. COMMENTS AND QUESTIONS

Boundary maps of the GCUCD and the PCUCD are attached.





LEGISLATIVE ANALYSIS

*ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-133 OF THE
CODE OF MIAMI-DADE COUNTY, FLORIDA PERTAINING TO RIGHT-OF-WAY
PLAN AND MINIMUM WIDTH OF STREETS AND WAYS*

Department of Planning and Zoning

I. SUMMARY

This Ordinance will amend Section 33-133 of the Code allowing for the minimum right-of-way for NW 74th Street from the Palmetto Expressway to the Homestead Extension of Florida's Turnpike to be changed from 80 to 126 feet.

II. PRESENT SITUATION

Presently, NW 74th Street between the Palmetto Expressway and the Homestead Extension of Florida's Turnpike is a dirt roadway and the right-of-way allowed is the standard 80 feet.

III. POLICY CHANGE AND IMPLICATION

Miami-Dade County has plans to construct a three lane roadway along NW 74th Street. Once constructed, the Florida Department of Transportation plans to widen 74th Street to a six lane roadway; therefore, the change to a 126 foot official right-of-way is in keeping with the future plans of this area.

Staff is working with the developers of the surrounding properties to set aside enough land to implement the right of way plans.

IV. ECONOMIC IMPACT

There are no economic impacts expected for the County. The roadway is dedicated lands and its construction cost is covered by the land owners as mitigation for development.

V. COMMENTS AND QUESTIONS

None.

LEGISLATIVE ANALYSIS

ORDINANCE RELATING TO INCORPORATION; AMENDING SECTIONS 20-20, 20-21, 20-22 AND 20-29 OF THE CODE

Commissioner Dennis C. Moss
Commissioner Natacha Seijas

I. SUMMARY

This ordinance provides modifications to the incorporation process. This ordinance increases the percentage of registered voters necessary in meeting the prerequisite for a petition for referendum. This ordinance also attempts to bring both the petition and MAC options together to address flaws in the transparency and efficiency of the incorporation process.

II. PRESENT SITUATION

In Miami-Dade County there are currently two paths a community may take to establish incorporation. The community may choose to meet the requirements through (1) a Petition for Referendum or by means of (2) a Municipal Advisory Committee (MAC). As more communities have inquired about the opportunity to incorporate, there has been much discussion and criticism over which process is most efficient, while remaining fair to all constituents.

1. Petition for Referendum- *(the current process)*

- Constituents must provide a valid and complete petition with the consent of 10% of the registered voters residing in the proposed area.
- Once the signatures are gathered the petition should be delivered to the Clerk of the Board of County Commissioners.
- The Clerk of the Board of County Commissioners transmits a copy of the petition to the Office of Management and Budget.
- Upon the Office of Management and Budget determining the petition is complete, the department notifies the Clerk of the Board. The Office of Management and Budget then proceeds with the task of making recommendations to the County Manager.
- The County Manager then brings the issue to the BCC as a public hearing item.

INLUC ITEM 3(A)

June 14, 2005

- This process has been criticized for having a low consent percentage (of 10%) for establishing an incorporated area in Miami-Dade County.
- The petition process is a bit more “hands off” than the MAC process.
- Due to the flexibility provided through the petition process, many constituents have stated they were unaware of any meetings regarding incorporation possibilities in their residential area(s).
- Many constituents have also expressed that they did not know what they were signing.
- Some constituents have stated they were not informed of the true impact incorporation will have on their area.

2. Municipal Advisory Committee (MAC)- *(the current process)*

- The collective interest of individual constituents or a group of constituents ask their respective County Commissioner to entertain the opportunity to incorporate the area they reside in.
 - MAC members are later appointed and collectively meet in a forum open to the public to address and study the practicality of incorporation for the area they reside in.
 - The MAC proceeds with performing a study (report) on the proposed area of incorporation with oversight provided by the Office of Management and Budget.
 - The intent of setting up a MAC is to involve constituent participation and their opinions to pertinent concerns.
 - The MAC’s study should address the concerns a new municipality will face with incorporating and operating as a new municipality.
 - After the MAC and the Office of Management and Budget have finalized their study a report is passed on to the County Manager who brings the issue to the BCC as a public hearing item.
- Although, the MAC carries on their process with the assistance and oversight of the Office of Management and Budget, constituents have expressed sentiments of not being well informed of the process.

INLUC ITEM 3(A)
June 14, 2005

III. POLICY CHANGE AND IMPLICATION

- The petition form must provide a summary of possible implications of incorporation, which shall include any anticipated effect on the municipal taxes placed on the residents of the area.
- This ordinance provides a means of bringing the petition process and the MAC process together. Bringing the two paths together with the desire to provide more open discussion between neighbors. This ordinance should allow for a more transparent and true outlook of how the greater part of the community truly feels.
- The ordinance proposes an increase of consent from 10% of the registered voters in the area to 25%. Some may express the increased percentage requirement from 10% to 25% is pretty lofty and unrealistic for simply starting an incorporation process. Others will say the consent percentage could be higher and the overwhelming masses should be for this before spending the resources, time, and money.
- This ordinance deletes language stating the County Manager should be notified by the Clerk of the Board and replaces that step with the Clerk notifying the Board of County Commissioners (BCC). The Clerk of Courts is being asked to notify the respective Commissioner(s) of the proposed area who has the authority to bring the item to the BCC as a public hearing item.
- Section 20-20(c) - "Upon notification of the completeness and sufficiency of the petition and upon sponsorship of the County Commissioner whose district comprises the majority of the area proposed to be incorporated by the petition, the Board of County Commissioners may create a Municipal Advisory Committee (MAC), . . ."
- This ordinance brings the petition and MAC process together by stating that a complete petition must proceed through the MAC process before being brought to the respective Commissioner and the BCC.
 - Section 20-21 mandates that petitions filed prior to or subsequent to the effective date of this ordinance must now progress through the MAC process to provide a report fully addressing issues involved in incorporating.
 - Section 20-21 also states, "[n]o petitions having had their initial public hearing prior to the effective date of this ordinance shall receive further consideration by the County Commission or any county established board, unless and until the provisions of this section and Section 20-20(c) have been met."

INLUC ITEM 3(A)
June 14, 2005

IV. ECONOMIC IMPACT

N/A

V. COMMENTS AND QUESTIONS

- Attachment 1: Map of the actively pursued incorporation and annexation areas.
- Attachment 2: Incorporation/Annexation Status Report as of May 31st, 2005.
- Attachment 3: Municipal Incorporation Elections (1990-Present)

Proposed Annexation

1. Coral Gables - Davis Fence Annexation
2. Deer Annexation
3. Florida City Annexation
4. Hialeah Annexation
5. Midway Annexation
6. Miami Shores Annexation
7. Miami Springs Annexation
8. Sweetwater Annexation
9. Virginia Gardens Annexation

Actively Pursued Incorporation and Annexation Areas

Legend

- Proposed Municipality
- Municipal Advisory Committee
- Proposed Incorporation Partition
- Proposed Annexation
- Proposed Annexation - Potential Conflicts
- Proposed Annexation - Potential Multiple Conflicts
- 2000 Planned Urban Development Boundary
- Highway
- Major Road

This map was prepared by the Miami-Dade County Enterprise Technology Services Department Strategic Technology Division March, 2005
For the Office of Strategic Business Management Incorporation and Annexations And Municipal Contracting Services

miamidade.gov



Incorporation/Annexation Status Report As of May 31, 2005

Municipal Advisory Committees

Biscayne Gardens

The Biscayne Gardens Municipal Advisory Committee (MAC) is currently in the process of developing the MAC's proforma budget. Upon completion of the budget the MAC will have the required public hearing. This process may be delayed until the selection of a financial consultant as required by resolution R-130-05 to review all MAC budgets and associated County's Impact to UMSA Budget Statements.

Fisher Island

The Fisher Island MAC, at its May 18, 2005 meeting, set aside work on its pro-forma budget pending receipt of a response from the Miami-Dade Police Department (MDPD) regarding its request for a new proposal for local patrol services. In a letter dated May 23, 2005 MDPD responded that "our Department will not undertake additional staffing proposals for Fisher Island, as the three proposals presented are practical and viable options". The next MAC meeting is scheduled for June 22, 2005.

Fontainebleau

The proposed incorporation of Fontainebleau item was heard before the Planning & Advisory Board (PAB) on January 10, 2005. The PAB recommended denial (unanimously) of the proposed incorporation. The Fontainebleau MAC budget will be reviewed by a financial consultant as required by resolution R-130-05. Once reviewed, the item will be forwarded to the Infrastructure and Land Use Committee (INLUC).

Goulds

The MAC met on May 10, 2005. MDPD presented the Local Patrol and Specialized Police Services budgets. The next meeting will be the Ethics Training meeting scheduled on June 14, 2005.

North Central Dade

The proposed incorporation item was heard on December 6, 2004 at Miami Central High School at 6:00 PM by the Planning Advisory Board (PAB). The PAB recommended denial (unanimously) of the proposed incorporation. The North Central Dade MAC budget will be reviewed by a financial consultant as required by resolution R-130-05. Once reviewed, the item will be forwarded to the Infrastructure and Land Use Committee (INLUC).

Northeast Dade

The Northeast Dade MAC proposed incorporation item was heard by the Boundaries Commission (BC) on March 23, 2005. The BC recommended approval of the item 6 votes to 1. The PAB will hear the proposed incorporation item on June 6, 2005 at Highland Oaks Middle School at 6:00 PM.

PLANT (Princeton, Leisure City, and Naranja)

The PLANT MAC (PMAC) met on September 16, 2004 and discussed their pro-forma budget. The PMAC decided not to meet again until they had more information from the Florida Conflict Resolution Consortium (FCRC) concerning their desire to expand its boundaries.

Redland

The Redland MAC (RMAC) had their last meeting on January 22, 2004. The major discussion item was Commissioner Sorenson and Commissioner Moss' resolution. The RMAC has conflicts with Goulds and PLANT concerning the boundaries and is currently in negotiations with the FCRC.

Annexations

Davis Ponce

The Davis Ponce annexation application had a public hearing scheduled on May 10, 2005 at INLUC, at which time the public hearing on the application was deferred to a non-specified date.

Doral

The Doral application went before the BCC on September 9, 2004. The BCC did not accept the application. The Board gave the Manager 120 days to mediate mutually agreeable boundaries with Virginia Gardens, Medley, and Miami Springs. The cities last met on January 31, 2005.

Florida City

The Florida City application was reviewed by INLUC on February 8, 2005 and was forwarded to the BCC without recommendation. The County Attorney was instructed at that meeting to prepare an ordinance for approval of the boundary change. On March 1, 2005, the BCC deferred its discussion of the report and had a first reading for the ordinances. The ordinance along with an alternate ordinance with revised boundaries will receive a second reading and the associated Manager's report for both the original boundary and revised boundary will be discussed at a public hearing scheduled for the June 7, 2005 BCC meeting.

Homestead

The City of Homestead annexation item was presented to the PAB on March 7, 2005. The members recommended approval of the proposed annexation, 4 votes to 3. The annexation item is tentatively scheduled for a public hearing at the August 16, 2005 INLUC meeting.

Medley

The Medley application went before the BCC on September 9, 2004. The BCC did not accept the application. The Board gave the Manager 120 days to mediate mutually agreeable boundaries with Doral, Virginia Gardens, and Miami Springs. The cities last met on January 31, 2005.

Miami Shores

The Miami Shores application was deferred at the March 23, 2005 Boundaries Commission meeting pending amendment of the Village's resolution initiating the annexation request to reflect a revised legal description. On April 5, 2005, the Miami Shores Village Council adopted the amended resolution. The item is scheduled for consideration at the June 27, 2005 PAB meeting in the BCC Chambers.

Miami Springs

The Miami Springs application went before the BCC on September 9, 2004. The BCC did not accept the application. The Board gave the Manager 120 days to mediate mutually agreeable boundaries with Doral, Virginia Gardens, and Medley. The cities last met on January 31, 2005.

Sweetwater

The BCC sponsored annexation application is scheduled to be presented at the June 27, 2005 PAB meeting in the BCC chambers.

Virginia Gardens

The Virginia Gardens application was accepted by the BCC on September 23, 2003. On September 9, 2004, The Board gave the Manager 120 days to mediate mutually agreeable boundaries with Doral, Medley, and Miami Springs. The cities last met on January 31, 2005.

Transition Cities

Cutler Ridge

The Cutler Ridge Charter Commission adopted a resolution at its May 9, 2005 meeting approving a proposed charter and transmitting the charter to the Board of County Commissioners with a request for an August 2, 2005 special election. Ordinances authorizing creation of a new municipality and calling a special election are scheduled for first reading at the June 7, 2005 BCC meeting and for final public hearing at the June 21, 2005 meeting under the sponsorship of Commissioner Katy Sorenson.

Miami Gardens

The Interlocal Agreement between Miami-Dade County and the City of Miami Gardens for the allocation of \$6,000,000 to assist in the construction of the Carol City Community Center was approved by the Board of County Commissioners on May 3, 2005. The Interlocal Agreement governing the distribution of Communications Services Tax is being finalized and is tentatively scheduled for the June 14, 2005 INLUC meeting.

Palmetto Bay

The Village of Palmetto Bay Council voted on a resolution to withdraw its dispute with the County concerning the amount of mitigation owed for fiscal year 2003-04. The resolution also accepted the County's method of calculating the mitigation amount; the full \$1,455,000 due to the County for fiscal year 2003-04 has been received.

Additional Information

Redland Petition

The BCC deferred consideration of this petition for incorporation at their December 14, 2004 meeting. The petition was received by the Clerk of the Board on May 17, 2004 and has been certified by the Elections Department. No date certain was established by the board for future consideration of the petition.

In January 2005 a suit was filed in the 11th Circuit Court, case #05-943CA-05, between Patricia Wade, The Friends of Redland, Inc (Plaintiffs) vs. Miami-Dade Board of County Commission (Defendant). In May 2005 the Court granted a final judgment in favor of the Defendant and against the Plaintiffs. Since then the Plaintiffs have filed an appeal.

**MUNICIPAL INCORPORATION ELECTIONS
1990 to Present**

Election	Election Date	Registered Voters	Ballots Cast	Turnout %	YES Votes %
Key Biscayne Incorporation	11/06/90	4,241	3,087	72.79%	56.66%
Key Biscayne Charter Approval	06/18/91	3,868	1,693	43.77%	67.51%
Aventura Incorporation	04/11/95	11,984	5,164	41.51%	85.18%
Aventura Charter Approval	11/07/95	12,197	3,909	32.05%	89.59%
Pinecrest Incorporation	09/19/95	10,321	4,786	46.37%	65.91%
Pinecrest Charter Approval	03/12/96	8,769	4,609	52.56%	58.21%
Sunny Isles Beach Incorporation	01/07/97	6,838	2,678	39.16%	72.72%
Sunny Isles Beach Charter Approval	06/16/97	6,973	1,892	27.13%	81.75%
Miami Lakes Incorporation	09/05/00	9,760	4,743	48.60%	87.09%
Miami Lakes Charter Approval	12/05/00	10,699	1,566	14.64%	94.19%
Palmetto Bay Incorporation	02/05/02	13,702	6,391	46.64%	81.49%
Palmetto Bay Charter Approval	09/10/02	13,762	7,225	52.50%	83.24%
Doral Incorporation	01/28/03	6,985	1,985	28.42%	85.45%
Doral Charter Approval	06/24/03	7,531	776	10.30%	92.19%
Miami Gardens Incorporation	01/28/03	51,582	8,032	15.57%	63.55%

LEGISLATIVE ANALYSIS

*ORDINANCE RELATING TO INCORPORATION AND ANNEXATION AND AREAS
AND FACILITIES OF COUNTYWIDE SIGNIFICANCE*

Commissioner Jose "Pepe" Diaz
Commissioner Joe A. Martinez

I. SUMMARY

- The ordinance being proposed will designate locations in unincorporated Miami-Dade County as "Areas and Facilities of Countywide Significance". This proposal will also give the Board of County Commissioners (BCC) ultimate jurisdiction over these "Areas and Facilities of Countywide Significance".

II. PRESENT SITUATION

- "Areas and Facilities of Countywide Significance" are not currently identified nor labeled. The issues of "Areas and Facilities of Countywide Significance" are currently addressed on a case by case basis as incorporation and annexation proposals are sought.
- County staff, Municipal Advisory Committees (MACs), steering committees, and new municipalities negotiate the fine details of certain areas of interests as they address mitigation agreements, municipal charter agreements, annexation requirements, and interlocal agreements on a case by case basis.

III. POLICY CHANGE AND IMPLICATION

- This proposal defines "Areas and Facilities of Countywide Significance" and establishes the areas Miami-Dade County will initially designate as "Areas or Facilities of Countywide Significance".
- This ordinance will also authorize the Board of County Commissioners to retain regulatory control over "Areas and Facilities of Countywide Significance" for purposes of land use, development and service delivery to protect and promote the health, safety, order, convenience, prosperity, and welfare for the residents of Miami-Dade.
- Additionally, this ordinance allows the BCC the opportunity to add or relinquish locations from this list if deemed necessary to comply with the definition of "Areas and Facilities of Countywide Significance".

INLUC ITEM 3(B)

June 14, 2005

- The areas that have been designated as "Areas and Facilities of Countywide Significance" are private and public location within Miami-Dade County's (1) Police (2) Fire Rescue, (3) Water and Sewer, and (4) Solid Waste Departments as well as (5) Florida Power Light Facilities.
- This ordinance states the BCC will retain jurisdiction over specific locations despite being incorporated or annexed, due to the important resources and services provided by the identified areas and facilities.
- By the BCC retaining jurisdiction over these locations they will have the power to properly provide and distribute resources and services in an equal fashion across the County.

IV. ECONOMIC IMPACT

N/A

V. COMMENTS AND QUESTIONS

N/A

LEGISLATIVE ANALYSIS

ORDINANCE PERTAINING TO ZONING REGULATION OF SIGNS AND ENFORCEMENT OF SIGN REGULATIONS; AMENDING SECTIONS 33-82, 33-86, 33-92 AND 8CC-10, AND CREATING SECTIONS 33-121.28-121.33 OF CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); PROVIDING PENALTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Commissioner Katy Sorenson

I. SUMMARY

This Ordinance allows for Miami-Dade County to modify present Code, establishing and enforcing minimum standards for the regulation of signs.

In addition, the Ordinance also discusses the standardization of busway signs from Dadeland South to 304th Street.

II. PRESENT SITUATION

Presently, throughout Miami-Dade, the height and scale of signs are inconsistent.

III. POLICY IMPLICATIONS

Planning and Zoning will have the responsibility of reviewing all signs throughout the County before a sign permit can be pulled.

IV. ECONOMIC IMPACT

Additional staff may be required in order to handle the additional review of sign applications.

V. COMMENTS AND QUESTIONS

The municipalities will have to review their code, either rewriting it to bring it to standard with Miami Dade County's or creating a mechanism to effectively deal with the time delays imposed on non-compliance with the Standard Code and/or the re-submittal of new plans.